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Ray Case Is Even More Tangled Since Switch in Counsel

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By Henry P. Leifermann

MEMPHIS, Tenn., Nov. 16 (UPI)—The mixed-up case against James Earl Ray in the assassination of the Rev. Dr. Martin Luther King Jr. showed every sign this week of becoming even more tangled before a single word of testimony is ever heard in court.

Since Ray unceremoniously dumped Arthur J. Hanes as defense attorney and hired Percy Foreman last Tuesday, the case has quickly taken on these elements:

• Would-be eyewitnesses, one an 11-year-old Negro boy, are cropping up to say they saw the assaasin.

• Attorneys, defendant, defendant's brothers, and authors are squabbling over who should make how much money out of the case.

• Arthur Hanes is negotiating to sell his story of Ray's defense to Life magazine, and refusing to turn over his files, if he has any, to Foreman, who presumably could read them in Life if he wanted to.

• Hanes now claims he may have been hired only as an ingredient to add more racial tension to the April 4 slaying of the Nation's major civil rights figure.

When Ray switched attorneys, Judge W. Preston Battle ordered Hanes to give Foreman all his files and research. Hanes was put under $1000 bond to enforce the judge's order on the research, and also to prevent Hanes from talking about the case.

"I'll let Tennessee keep that $1000," Hanes said. "I keep my files right up here," he added, pointing to his forehead. "I never forget anything; times, names, dates, places, distances, calibrations—it's all up here."

Reports Blank Check.

Whatever Hanes has, and wherever he keeps it, Life magazine wants to buy it. "They offered me a blank check," Hanes said.

Gerald Morre, Time-Life Bureau chief in Chicago, confirmed that negotiations are under way but said "no blank check" was offered, no specific figure mentioned, and no contract yet signed.

Ray's brothers, John and Jerry, also have become aware of the publication possibilities. The result is some bickering over who gets how much from which story in which magazine. The friction is thought to have contributed to Hanes's troubles with Ray's brothers, who felt Hanes should have gotten less and their brother more from Huie's articles.

Foreman, who has a warehouse full of merchandise payments in lieu of cash, has not yet said what his fee is nor how Ray will pay for it.

Finally, there is the fake chase of the white Mustang automobile broadcast on Memphis police radio frequencies F1 and F2 minutes after the assassination. At the time of the assassination it was thought the phony chase was a plot by accomplices to lure police into another part of town. But the Memphis Police Department has leaked to several reporters hints that two teen-aged ham radio operators have confessed they were responsible for the phony chase broadcast, and did it as a prank.

• A mysterious and phony chase broadcast over police radio and thought to be possible evidence of a conspiracy may have been the irresponsible prank of two teen-aged ham radio operators.

Claimed Bombshell

Ray's trial was postponed until March 3 Tuesday when Foreman, the celebrated Texan who defended heiress Candy Mossler and claims one loss to the eleotric chair in 1000 murder cases, took over the defense.

Two of the many sides in the case claim at least one eyewitness each. The prosecution claims Charles Q. Stephens, a disabled war vereran who lived in the dollar-a-day flophouse the state said Ray waited in to kill King.

Hanes claims he had an eyewitness, "a bombshell" whom he refused to identify.

And there is the 11-year-old Negro boy, whom Hanes claimed he never heard of, the prosecution remains silent about and other sources say may have been scared into silence.

The boy supposedly saw a white man with a rifle jump from bushes atop an embankment that faced the Lorraine Motel where King was standing when he was shot. Behind the bushes, in the same trajectory from window to balcony, is the bathroom window the prosecution said was the ambush hideout.

The boy ran to a Memphis fire station 100 yards from the Lorraine, breathlessly told three firemen—one of them a Negro—and then was whisked to police headquarters, according to sources.

Still at Center

Although Hanes was dismissed out of hand by Ray, the attorney remains a cog in the center of the case.

In an interview the former Birmingham Mayor noted another bizarree lement.

"It wouldn't surprise me at all," Hanes said when asked if it were likely that he was "set up" by men who plotted King's murder, and in fact was never intended to take the case to trial.

The theory behind this plot within a plot, Hanes noted, could be that his selection—he was a segregationist Mayor and successfully defended three Ku Klux Klansmen in the highway murder of Viola Liuzzo—would make the murder appear to be the work of white racists.

Author William Bradford Huie, in a copyright series of articles in Look magazine based on information from Ray, contends there was a conspiracy to kill King and its aim was to touch off waves of racial violence even more severe than that which actually occurred.

Hanes said he and his son, Arthur Jr., 27, also an attorney, had decided that "only two groups could have done this: the CIA and blackmail tants financed by Cuba or Red China." Hanes felt that only a clandestine organization with the backing of some government could have accomplished the killing.

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